CITY OF MUSKEGON

CITY COMMISSION MEETING

FEBRUARY 26, 2008

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 p.m., Tuesday, February 26, 2008.

Mayor Warmington opened the meeting with a prayer from Pastor Gordon Aikin from the Central Assembly of God after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Stephen Gawron, Commissioners Clara Shepherd, Lawrence Spataro, Sue Wierengo, Steve Wisneski, and Chris Carter, City Manager Bryon Mazade, City Attorney John Schrier, and City Clerk Ann Marie Becker.

2008-19 HONORS AND AWARDS:

A. Honorary Ambassador Awards. Vice Mayor Gawron presented certificates to students from Third Street Transition Center.

B. Outstanding Citizenship Awards. Vice Mayor Gawron presented awards to Margarita DeHaan and Wilmern G. Griffin.

2008-20 CONSENT AGENDA:

A. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve minutes for the January 25th Goal Setting Session, the February 11th Commission Worksession, and the February 12th Regular Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

B. Fireworks Display Permit for the Shrine Circus. CITY CLERK

SUMMARY OF REQUEST: Jordan Productions, Inc. is requesting approval of a fireworks display permit for February 29th and March 1st at the Walker Arena. Fire Marshall Metcalf will inspect the fireworks on the day of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks and approval of the insurance.

C. <u>Meter Reading Radio Equipment Purchase.</u> PUBLIC WORKS

SUMMARY OF REQUEST: Approval to purchase 1,400 Radio Transceiver units. Currently the City manually reads 1,800 residential meter pits throughout the City. Initially 400 Radio Units were purchased in October 2007.

FINANCIAL IMPACT: Total Cost $154,000.

BUDGET ACTION REQUIRED: None, the 2008 Water Maintenance Budget includes funding for this purchase.

STAFF RECOMMENDATION: To approve purchase from ETNA Supply.

D. <u>Signing of Memorandum of Understanding with Muskegon County Health Department.</u> COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To have the Mayor and City Clerk sign the Memorandum of Understanding between the City of Muskegon and the Muskegon County Health Department.

The Muskegon County Health Department has agreed to supply Clearance Inspection services to the City's Lead Based-Paint Abatement program. Community and Neighborhood Services would like to establish an agreement with the Muskegon County Health Department in an effort to keep the inspection cost at a minimum.

The City of Muskegon received a grant from the US Department of Housing and Urban Development to abate lead from 204 housing units in the City. The Muskegon County Health Department has significant experience as it relates to Lead Clearance Inspections since they administered a Lead Grant through the State of Michigan for approximately three years.

FINANCIAL IMPACT: The total cost of each clearance will be approximately $750 per unit. The funding for the cost will be covered by the City's Healthy Homes Grant.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the Memorandum of Understanding.

E. <u>Signing of Memorandum of Understanding with Muskegon County Health Project.</u> COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To have the Mayor and City Clerk sign the contract between the City of Muskegon and the Muskegon County Health Project.

The Muskegon County Health Project has agreed to supply educational outreach services to the City's Lead Based-Paint Abatement program through its' employee Mrs. Tressa Duncan. Community and Neighborhood Services would like to establish an agreement with the Muskegon County Health Project in an effort to keep the educational outreach expenses at a minimum.

The City of Muskegon received a grant from the US Department of Housing and Urban Development to abate Lead from 204 housing units in the City during the next three years. The Muskegon County Health Project has significant experience as it relates to educating the public about lead base paint in their homes and the possible dangers.

FINANCIAL IMPACT: The total cost of the educational outreach will be allocated from the City's Health Homes Grant.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the contract.

G. **<u>Consideration of Bids for Pine Street, Apple to Western (H-1612).</u>** ENGINEERING

SUMMARY OF REQUEST: Award the contract for the reconstruction of Pine Street from Apple to Western to Felco Contractors, Inc. of Muskegon, MI since they were the lowest, responsible bidder with a bid price of $617,211.30.

FINANCIAL IMPACT: The construction cost of $617,211.30 plus engineering cost which is estimated at an additional 15%.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Award the contract to Felco Contractors, Inc.

Motion by Vice Mayor Gawron, second by Commissioner Shepherd to approve the Consent Agenda as read minus item F.

ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd

Nays: None

MOTION PASSES

2008-21 ITEM REMOVED FROM THE CONSENT AGENDA:

F. **<u>2008 – 2009 CDBG/HOME Recommendations.</u>** COMMUNITY & NEIGHBORHOOD SERVICES

SUMMARY OF REQUEST: To accept the administration's and Citizens District Council's recommendation in regards to the 2008-2009 CDBG/HOME anticipated entitlement. The Commission is scheduled to make their preliminary decision regarding the 2008-2009 CDBG/HOME allocation entitlement during the Public Hearing scheduled for March 11, 2008.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the acceptance of administration and the Citizen District Council's recommendations.

COMMITTEE RECOMMENDATION: The Citizen District Council has made their recommendations.

Motion by Commissioner Carter, second by Commissioner Wierengo to approve the acceptance of administration and the Citizen District Councils recommendations for 2008 – 2009.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Carter, Gawron, Shepherd, and Spataro

Nays: None

MOTION PASSES

2008-22 PUBLIC HEARINGS:

A. <u>Spreading of the Special Assessment Roll for Park Street, Hackley to Young.</u> ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the special assessment for Park Street from Hackley to Young and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of $28,269.81 would be spread against the five parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The public hearing opened to hear and consider any comments from the public. No comments were made.

Motion by Commissioner Carter, second by Commissioner Spataro to close the public hearing and approve the spreading of the special assessment roll for Park Street, Hackley to Young.

ROLL VOTE: Ayes: Wierengo, Wisneski, Carter, Gawron, Shepherd, Spataro, and Warmington

Nays: None

MOTION PASSES

B. <u>Create Special Assessment District for Jiroch Street, Southern to Irwin.</u> ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Jiroch Street, Southern to Irwin project, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To create the special assessment district and assign two City Commissioners to the Board of Assessors by adopting the resolution.

The public hearing opened to hear and consider any comments from the public. Comments in opposition were heard from Ken and Suzanne Kampenga, own lot at 1515 Jiroch; and from Sam Turnipseed, 112 E. Grand.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to close the public hearing and approve the special assessment district for Jiroch Street, Southern to Irwin.

ROLL VOTE: Ayes: Wisneski, Carter, Gawron, Shepherd, Spataro, Warmington, and Wierengo

Nays: None

MOTION PASSES

Mayor Warmington appointed Commissioner Spataro and Mayor Warmington to the Board of Assessors.

C. Create Special Assessment District for Quarterline Road, Apple to MacArthur. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Quarterline Road, Apple to MacArthur project, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To create the special assessment district and assign two City Commissioners to the Board of Assessors by adopting the resolution.

The public hearing opened to hear and consider any comments from the public. Comments were heard from Robin representing Choice Properties, 508 Quarterline, in opposition to the project.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to close the public hearing and create the special assessment district for Quarterline Road, Apple to MacArthur contingent upon award of Federal and State grants.

ROLL VOTE: Ayes: Carter, Gawron, Shepherd, Spataro, Warmington, Wierengo, and Wisneski

Nays: None

MOTION PASSES

Mayor Warmington appointed Commissioner Carter and Vice Mayor Gawron to the Board of Assessors.

2008-23 NEW BUSINESS:

A. <u>2008/2009 Goals.</u> CITY MANAGER

SUMMARY OF REQUEST: To adopt the proposed 2008/2009 goals, based on the goal setting session held on January 25, 2008.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the proposed 2008/2009 goals.

Motion by Vice Mayor Gawron, second by Commissioner Shepherd to approve the proposed 2008/2009 goals based on the goal setting session held on January 25, 2008.

ROLL VOTE: Ayes: Gawron, Shepherd, Spataro, Warmington, Wierengo, Wisneski, and Carter

Nays: None

MOTION PASSES

B. <u>Appointments to the Citizen's Police Review Board.</u> CITY CLERK

SUMMARY OF REQUEST: To reappoint Charlotte Perez as a member of a Minority Based Organization; and appoint David Bukala or Philip Marcil as the Law Enforcement Professional.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

Motion by Commissioner Spataro, second by Commissioner Carter to reappoint Charlotte Perez as a member of a Minority Based Organization and appoint David Bukala as the Law Enforcement Professional to the Citizen's Police Review Board.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Wierengo, Wisneski, Carter, and Gawron

Nays: None

MOTION PASSES

C. <u>Concurrence with the Housing Board of Appeals Notice and Order to Demolish 1125 Maple Street and 4 W. Webster Avenue.</u> PUBLIC SAFETY

SUMMARY OF REQUEST: This is to request that the City Commission concur with the findings of the Housing Board of Appeals that the structures are unsafe, substandard, a public nuisance and that they be demolished within 30 days. It is further requested that administration be directed to obtain bids for the demolition of the structures and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: CDBG Funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To concur with the Housing Board of Appeals decision to demolish.

Motion by Commissioner Spataro, second by Vice Mayor Gawron to concur with the Housing Board of Appeals notice and order to demolish 1125 Maple Street.

ROLL VOTE: Ayes: Spataro, Warmington, Wierengo, Wisneski, Carter, Gawron, and Shepherd

Nays: None

MOTION PASSES

Motion by Commissioner Spataro, second by Commissioner Carter to concur with the Housing Board of Appeals notice and order to demolish 4 W. Webster.

ROLL VOTE: Ayes: Warmington, Wierengo, Wisneski, Gawron, and Spataro

Nays: Shepherd

Absent: Carter

MOTION PASSES

ADJOURNMENT: The City Commission Meeting adjourned at 6:45 p.m.

Respectfully submitted,

Ann Marie Becker, MMC
City Clerk